




J. Craig Whitley
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re

KAISER GYPSUM COMPANY, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 16-31602 (JCW)

(Jointly Administered)

ORDER APPROVING SETTLEMENT WITH THE UNITED STATES

This matter coming before the Court on the Debtors' Motion for an Order Approving Settlement with the United States (the "Motion"),² filed by the above-captioned debtors (together, the "Debtors"); the Settlement Agreement having been published in the Federal Register; the Court having reviewed the Motion; and the Court having found that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) venue is proper

¹ The Debtors are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): Kaiser Gypsum Company, Inc. (0188) and Hanson Permanente Cement, Inc. (7313). The Debtors' address is 300 E John Carpenter Freeway, Irving, Texas 75062.

² All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

in this district pursuant to 28 U.S.C. §§ 1408 and 1409, (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (iv) notice of the Motion was sufficient under the circumstances and (v) the Settlement was negotiated at arm's length and in good faith; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates and creditors; and good and sufficient cause having been shown;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Settlement Agreement and the Settlement therein are approved.
3. In addition, the Court approves the settlement pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.*, as the settlement is fair, reasonable, negotiated at arms-length, and consistent with CERCLA. Further, no comments were received as a result of publication of the notice of the proposed Settlement in the Federal Register, and no oppositions were filed in response to either the Motion, or the United States' joinder to the Motion [Docket No. 1765].
4. The Debtors are authorized to perform their obligations under the Settlement Agreement.
5. The Debtors' noticing and claims agent, Prime Clerk LLC, is hereby authorized and directed to take and perform all actions necessary to implement and effectuate the relief granted in this Order.

**This Order has been signed electronically.
The judge's signature and the court's seal
appear at the top of the order.**

United States Bankruptcy Court